

This listing of claims will replace all prior versions, and listings, of claims in the applications:

**Listing of Claims:**

Claim 1 (currently amended): A method for purchasing a recorded music item comprising the following steps:

- a) providing a portable recording device;
- b) recording data related to a music item playing on a radio using said portable recording device;
- c) ~~b~~) transmitting said data from said portable recording device to a music identification/purchasing system;
- d) ~~e~~) receiving purchasing information from said music identification/purchasing system related to said music item;
- e) ~~d~~) transmitting at least one music item selection and payment information to said music identification/purchasing system; and
- f) ~~e~~) receiving said at least one music item selection.

Claim 2 (currently amended): The method for purchasing a recorded music item as recited in claim 1 further comprising the step, after step b c and before step e d, of identifying said music item by comparing the time said music item was recorded with a play list from a designated music station.

Claim 3 (original): The method for purchasing a recorded music item as recited in claim 1, wherein said data includes at least a time, a date, and either a station frequency and a location of said station or a four letter station identification code.

Claim 4 (original): The method for purchasing a recorded music item as recited in claim 1, wherein said data is transmitted to said music identification/purchasing system by means of the Internet.

Claim 5 (original): The method for purchasing a recorded music item as recited in claim 1, wherein said data is transmitted to said music identification/purchasing system by means of a telephone.

Claim 6 (original): The method for purchasing a recorded music item as recited in claim 1, wherein said purchasing information is received by means of the Internet.

Claim 7 (original): The method for purchasing a recorded music item as recited in claim 1, wherein said purchasing information is received by mail.

Claim 8 (original): The method for purchasing and recorded music item has recited in claim 1, wherein said step of receiving said at least one music item selection is accomplished over the Internet.

Claim 9 (original): The method for purchasing and recorded music item has recited in claim 1, wherein said step of receiving said at least one music item selection is accomplished by mail.

Claim 10 (currently amended): A method for purchasing a ~~recorded~~ music item comprising the following steps:

- a) providing a portable communication device;
- b) ~~recording-transmitting~~ a segment of music playing on a radio;
- b) ~~transmitting said recorded segment~~ to a music identification/purchasing system using said portable communication device;
- c) receiving purchasing information from said music identification/purchasing system;
- d) transmitting at least one music item selection and payment information to said music identification/purchasing system; and
- e) receiving said music item selection.

Claim 11 (currently amended): The method for purchasing a ~~recorded~~ music item as recited in claim 10 further comprising the step, after step b and before step c, of identifying said segment

of music playing on the radio item.

Claim 12 (original): The method for purchasing a ~~recorded~~-music item as recited in claim 11, wherein said step of identifying said segment of music item comprises the following steps:

- a) entering said ~~recorded~~ transmitted segment of music item into a central processing unit;
- b) analyzing and comparing said transmitted segment of music ~~recorded musical~~ item to music contained in a database; and
- c) identifying a music selection providing the closest match to said transmitted segment of ~~recorded~~ music item.

13. A process of identifying music comprising:

- a) providing a portable communication device;
- b) recording a segment of music playing on a radio using said portable communication device;
- c) transmitting said recorded musical segment from said portable communication device ~~providing a recorded musical segment;~~
- b) ~~entering said musical segment~~ into a central processing unit;
- d)e) analyzing and comparing said musical segment to a database of musical works;
- e)d) identifying at least one closest match; and
- f)e) generating database information regarding said at least one closest match.

Claim 14 (canceled)

Claim 15 (currently amended): A music identification/purchasing system comprising:  
a means for receiving an audio playback of a selected musical work from a portable communications device;

- a means for storing information related to a ~~selected~~ plurality of musical work~~work~~;
- a means for identifying said selected musical work from said means for storing information related to the plurality of musical works based on said received audio playback ~~information~~;
- a means for providing information related to said selected musical work; and

a means for purchasing said selected musical work or an item related to said selected musical work.

Claim 16 (canceled)

Claim 17 (currently amended): The music identification/purchasing system as recited in claim 15, wherein said means for identifying said selected musical work from said means for storing information related to the plurality of musical works based on said received audio playback comprises a central processing unit accessing a database containing information related to ~~a~~the plurality of musical works.

Claim 18 (currently amended): The music identification/purchasing system as recited in claim 15 wherein said means for receiving an audio playback of a selected musical work from a portable communications device ~~means for providing information related to said selected musical work~~ comprises a user interface including a microphone.

Claim 19 (original): The music identification/purchasing system as recited in claim 15, wherein said means for purchasing comprises an ordering system including price, availability, shipping method, and payment options.

Claim 20 (newly presented): A method for purchasing a music item comprising the following steps:

- a) providing a portable communication device;
- b) transmitting a segment of music playing on a radio to a music identification/purchasing system using said portable communication device;
- c) entering said transmitted segment of music into a central processing unit of said music identification/purchasing;
- b) analyzing and comparing said transmitted segment of music to music contained in a music database; and
- c) identifying a music selection providing the closest match from music contained in

the music database to said transmitted segment of music;

d) receiving purchasing information from said music identification/purchasing system related to the music selection providing the closest match;

e) transmitting at least one music item selection and payment information to said music identification/purchasing system; and

f) receiving said music item selection.